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Attorney for Debtor,
Deborah Geller

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:) Case No.: NO. 09-48558-KV-TS
Deborah Geller,) Motion Docket # SEO-001
) Chapter 13
Debtor.) Hearing Date: NO HEARING SET
) Hearing Time:
) Hearing Place:
) Honorable Judge Randall J. Newsome
)
)
)

**APPLICATION FOR ORDER BY DEFALCON MOTION TO AVOID LIEN RELATED
TO CLAIM OF BANK OF AMERICA NA**

Debtor DEBORAH GELLER hereby requests entry of an order avoiding the lien related to the claim of BANK OF AMERICA NA and represents as follows:

1. On October 7, 2009 debtors filed their Motion To Avoid Lien Related to Claim Of Bank of America N A (the “Motion”) and supporting documents.

2. Debtors noticed their Motion by way of Court's "scream or die" procedures, providing notice and opportunity for a hearing pursuant to Bankruptcy Local Rule 9014-1.

3. Debtors served the Motion, notice and related documents in support thereof by U.S. Mail on October 5, 2009.

4. More than twenty (20) days have elapsed since such services and debtors, nor their attorney, have been served with no response or request for hearing.

APPLICATION FOR ENTRY OF ORDER ON MOTION TO AVOID LIEN RELATED

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct and that this declaration was executed on February 3, 2010 at Pleasanton,
3 California.

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5 /s/ Shannon E. Oltarzewski

6 SHANNON E. OLTARZEWSKI (SB No. 191269)
7 Attorney for Debtors

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APPLICATION FOR ENTRY OF ORDER ON MOTION TO AVOID LIEN RELATED

1 SHANNON E. OLTARZEWSKI, SBN 191269
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9 CERTIFICATE OF SERVICE
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13 UNITED STATES BANKRUPTCY COURT
14 DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
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17 The undersigned, does hereby certify the following to be true and correct.
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19 On Wednesday, February 3, 2010, a copy of the following documents, described below,
20

- 21 • **APPLICATION FOR ORDER BY DEFAULT MOTION TO AVOID LIEN**
22 **RELATED TO CLAIM OF BANK OF AMERICA NA**
- 23 • **PROPOSED ORDER GRANTING MOTION TO AVOID LIEN RELATED TO**
24 **CLAIM OF BANK OF AMERICA NA**

25 were deposited for delivery by the United States Postal Service, via first class United States
26 Mail, postage prepaid, first class, with sufficient postage thereon to the parties listed on the
27 mailing list attached hereto and incorporated as though fully set forth herein.
28

I, Angel Coronel, declare under penalty of perjury that I have served the above referenced
documents on the above listed entities in the manner shown, and prepared the Certificate of
Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: February 3, 2010


22 Angel Coronel
23 LPLM Tax Attorneys, Inc.
24 4900 Hopyard Road, Suite 200
25 Pleasanton, California 92054
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CERTIFICATE OF SERVICE

1 Chapter 13 Trustee
2 Martha Bronitsky
3 PO Box 5004
4 Hayward, California 94540-5004

5 Officer of Corporation
6 Bank of America NA
7 450 American Street
8 Simi Valley, California 93065-6285

9 Officer of Corporation
10 Bank of America NA
11 4060 Ogletwon/stan
12 Newark, Delaware 19713

13 Officer of Corporation
14 Bank of America NA
15 4161 Piedmont Parkway
16 Greensboro, North Carolina 27410-8119

17 Custom Recording Solutions
18 On Behalf of Bank of America NA
19 2550 N. Redhill Avenue
20 Santa Ana, California 92705

21 California Reconveyance Company
22 On Behalf of Bank of America NA
23 9200 Oakdale Avenue
24 Mailstop CA-2-4379
25 Chatsworth, California 91311

26 Agent for Service of Process for Bank of America NA
27 CT Corporation
28 818 West Seventh Street
Los Angeles, California 90017

Officer of Corporation
Washington Mutual Fa
7757 Bayberry Road
Jacksonville, Florida 32256-6816

Agent for Service of Process for Washington Mutual
Theresa M Marchlewski
9200 Oakdale Avenue N1107101
Chatsworth, California 91311

1 John B. Acierno III
2 PITE DUNCAN, LLP
3 4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933

4 Richard J. Bauer Jr.
5 MILES, BAUER, BERGSTROM & WINTERS LLP
6 1665 Scenic Avenue, Suite 200
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7 Deborah Geller
8 1415 Indianhead Way
9 Clayton, California 94517

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